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7 Attorneys for Defendants  
8 MARLENE L. GRANGAARD,  
9 individually and as Trustee of the  
10 MARLENE L. GRANGAARD REVOCABLE LIVING TRUST,  
11 dba CLAM BEACH INN, aka CLAM DIGGER BAR

12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 GENE PLYLEY,

15 Plaintiff,

16 vs.

17 MARLENE L. GRANGAARD, individually  
18 and as Trustee of the MARLENE L.  
19 GRANGAARD REVOCABLE LIVING  
20 TRUST, dba CLAM BEACH INN, aka  
21 CLAM DIGGER BAR, and DOES ONE to  
22 FIFTY, inclusive,

23 Defendants.

Case No. CV 12 5825 WHA

**(Proposed) ORDER REGARDING SCOPE  
OF JOINT SITE INSPECTION**

Hearing Date: 4/2/13  
Time: 1:30 p.m.  
Courtroom: 9


Honorable William Alsup

24 In a letter dated March 22, 2013, plaintiff's counsel Jason Singleton requested resolution of a  
25 discovery dispute regarding the scope of the joint inspection in this matter. On March 25, 2013, the  
26 Court issued an Order Setting Hearing Re Plaintiff's Discovery Dispute. In compliance with the Order,  
27 defendants' counsel Laura S. Flynn submitted a responsive letter on March 29, 2013 and the parties  
28 participated in a three hour meet-and-confer session on April 2, 2013 from 10:00 a.m. to 1:30 p.m. A  
hearing was conducted at 1:30 p.m. Jason Singleton appeared on behalf of plaintiff Gene Plyley. Laura  
S. Flynn appeared on behalf of defendants Marlene L. Grangaard, individually and as Trustee.

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1 Based on a review of the letters submitted by the parties and oral argument, the Court finds that  
2 an inspection of the convenience store adjacent to the Clam Digger Bar is not warranted at this time.  
3 Plaintiff's complaint does not contain any allegations relating to plaintiff's intent to patronize the  
4 convenience store.

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6 Dated: April 4, 2013

By   
7 Honorable William Alsup  
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